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Innovatie in de Nederlandse Archeologie
Liber amicorum voor Roel W. Brandt

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Contract archaeology and quality management in the Netherlands

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Introduction

I have vivid memories of passionate discussions with Roel Brandt in the years around 1990, about the advent of contract archaeology in the Netherlands. These took place in the evening, over a beer, but also during periodic visits at my office in Amersfoort, at meetings between the director of RAAP and the director of ROB, the State Archaeological Service. Though officially a charitable trust, RAAP was in fact an innovative private company, the first in the Netherlands.[1] We were not concerned about the possibility that commercial archaeology would gain a foothold in the Netherlands, after all Roel's organisation *was* precisely that, but both of us were alarmed at the idea that excavation could become a commercial service, as it had by then in the United Kingdom and in the German Rhineland.

Nevertheless, our positions were different. Roel tried to convince me that this would be inevitable in the long run, and that it was better to engineer the transition in a controlled way than to run the risk of being caught by unavoidable events. As ROB-director, however, I considered it my duty to uphold the recently (1988) revised Monuments Act and to prevent commercial excavation because that could easily lead to a 'heritage industry' with little relevance to archaeological research.[2] There was at the time no political pressure to change this aspect of the law,[3] and although working in Strasbourg had taught me that this revised Act was a very old-fashioned piece of legislation that had been written with its back to the future,[4] I did not count its solution for quality control among the outdated aspects. This solution consisted of a severe limitation of access to excavation: permits could only be issued to state institutions, universities and municipalities.[5]

As director of RAAP, Roel had of course not only the future of Dutch archaeology in mind. RAAP had no intention to start offering commercial excavations, but he wanted me to agree to some construction that would allow RAAP to use the full range of methods in archaeological field evaluation, including test pits or trial trenches. Legally, digging test pits or trial trenches would be classified as excavation and thus required a permit that could not be legally issued to a private organisation. Although the request made perfect sense, we never found an acceptable solution for this. Any construction devised to accommodate RAAP would inevitably open the same options for other organisations - even though RAAP was the only organisation active in archaeological field evaluations so there would have been no improper privileged position – and would have yielded a strong opposition against such a policy from ROB staff and from elsewhere in our discipline.

The ratification process[6]

It was only a few years later that I, and others, became convinced that Roel's position on the need to introduce commercial archaeology in a safeguarded manner was indeed the best way forward. The debates that took place in the mid-1990s within the State Service, between ROB and the Ministry and various other parties involved in discussions about the way to implement the Malta Convention in the Netherlands, rapidly led to the insight that participation of private parties in archaeological heritage management would be unavoidable in the future. It also produced the contours of policies, legal and professional instruments that would be needed in such a case, such as a system of quality assurance and the establishing of recognised standards for archaeological work.[7] These were precisely the sort of things Roel and I had been talking about a few years before.

Despite these fundamental changes in attitudes, there were no intentions to allow a truly commercial archaeology to develop until the change in government of 1998. In that same year, parliament finally adopted a ratification law of the Malta convention but requested the government to postpone official notification of the Council of Europe until the legislation for implementation had been proposed and adopted as well. This was to be done by the new government, but the decision by the new State Secretary for Culture, Van der Ploeg, to introduce a system of commercial

1 Its history and development in the context of Dutch archaeology has recently been described in detail by Eickhoff (2005). See also this volume, the contributions by Van der Leeuw and Andrikopoulou-Strack & Bloemers.
2 Cf. Willems 1993: 26-27.
3 See Eickhoff 2005 for the official sources; see also Willems 1997.
4 This was in the Committee of Experts on the Archaeological Heritage convened from 1988-1991 by the Council of Europe to revise the outdated Convention of London, which was to become the Convention of Malta at the Council of Ministers meeting in January 1992.
5 The appendix to Willems 1997 contains an English translation of the Monuments Act of 1988.
6 Most of what follows has also been published as an introduction to the English edition of the Dutch Quality Standard in Willems & Brandt 2004.
7 See Willems 1997: 13.

archaeology - as well as other changes that were made[8] - led to further delays in the legislative process.[9] Fortunately, the same did not apply to the creation of other necessary elements and in 1999 I was asked to put together a national committee to start working on a quality system for archaeology. This will be dealt with in the next paragraph.

The implementation process was supposed to be finished in 2002 and when it became apparent that it would not, the private initiatives that had meanwhile started had to be accommodated.[10] A decree formulating a 'transitional policy' to bridge the gap between the current and the future system was gazetted in 2001 so that some of the limitations of the present Monuments Act (1988) could be interpreted flexibly in the light of the new law. Equally important is the fact that adoption of the ratification law in 1998 created moral obligations for national and local government so that major principles of the Malta convention have already been implemented in practice.
The first principle, preservation of archaeological sites as a first option in all development, has become a priority, integration of archaeological concerns in the planning process is well advanced and ROB has been reorganised accordingly. The principle that the developer should pay cannot be fully enforced yet, at least not when private developers are concerned, but much development does in fact generate from national, regional or local government, not from the private sector. Apart from that, regional and local governments when possible often make archaeological evaluation a condition for permits to private developers. The result has been that very substantial funding has been made available for archaeology, because all levels of government - and indeed part of the private sector - act as if the Malta principles were already a legal obligation. The actual work - if it involves excavation - can legally only be done under supervision of archaeologists working for the local or national government or at a university, but in practice much work is already being done by private firms.

This will change with the new legislation because - as outline above - the political decision was taken that a market for archaeological services should be created in which 'market principles' apply. From the moment the new legislation is passed, private firms will be allowed to offer their services independently and in competition. They can offer these services to private or public developers who will be obliged under the new law to have some kind of archaeological work done as a condition for a permit to start a development. Under the decree that formulates the 'transitional policy' mentioned above, this system has in fact become operational since the end of 2001, with the restriction that excavation companies cannot work fully independent but have to operate under the licence of ROB or of a university. At the moment, there are already nearly twenty such private companies that have been officially admitted, from quite large, around one hundred employees, to fairly small, perhaps no more than a few people. In total, there are at the moment around 70 companies that work in archaeology: the other 50 are doing various kinds of specialist services, consultancy, and such: activities for which no licence is needed. Estimates of the total value of this archaeological market amount to around 66 million Euro for 2004.[11]

The introduction of a market for archaeological services by Van der Ploeg is only one aspect of the political decision that was taken. The complementary part of his decision is that, while it is acknowledged that archaeological work may be a service, it should also be regarded as research which is of vital importance for the understanding and valuation of the national archaeological heritage. Therefore, market principles can only be allowed to operate when the quality of the necessary work has been ascertained. Otherwise, there is too big a risk that commercial and financial considerations will prevail. As a result, a free market system has been introduced in combination with a system of quality assurance which is based on legal requirements, so that basic standards for all archaeological work are guaranteed; unless, of course, future EU legislation is going to thwart this. At the moment of writing, the so-called Bolkestein directive is under discussion, which intends to introduce a 'country of origin' principle. According to this, a company providing services will be subject only to the law of the country in which it is established and member states may not restrict services from EU based providers. The country of origin is the only responsible for the supervision of the provision. It is entirely possible that this directive will be rejected, or that archaeological services - which are public services in many member countries - will be among the exceptions. If not, drastic change may take place in the years to come.

8 For a discussion, see Eickhoff 2005. A presentation of his plans by Van der Ploeg at the inaugural meeting of the Europae Archaeologiae Consilium has also been published (Van der Ploeg 2000).

9 The political side of this process was delayed further by developments in 2002 that caused political turmoil, but is now finally under way: a completely revised archaeological section of the Monuments Act has been sent to Parliament in 2004 and may well have been adopted by the time this paper is published in November 2005.

10 The major impetus for this was the fact that ROB needed to change and my successor there wanted to eliminate the labour pool I had created for ROB (the private foundation *Joan Willems Stichting*) and turn it into an independent company. This work was commissioned to the only experienced director of a commercial archaeology organisation in the country.....Roel Brandt.

11 According to a report on the state of Dutch archaeology commissioned by the Director General for Culture (so-called *Sectoranalyse*), second draft 2005, p. 38.

Figure 1
The relations between the government, archaeological contractors and developers.

The system that has now been established in the Netherlands can be illustrated by a diagram (fig.1) which shows the triangular relationship that will exist between the authority, which can be a local or national government, the developer of plans, and the archaeological contractor at the bottom. The upper line of the triangle gives the relation between the competent authority and the developer: their relation takes the form of a permit, or usually a whole series of permits, which the developer needs to realise his plans because society wants an ordered and planned use of space. The main issue here are the conditions which the government wants to set in order to control the impact of the proposed development.

The issue which concerns us most here is indicated by the right part of the triangle, which gives the relation between the competent authority and the contractor. The main issue in this case, is the acquisition of knowledge about the past. Archaeological sites are the most important source of information about 99 percent of our past and they constitute a fragile resource which makes it a government's responsibility to ascertain that it is properly handled. In the Dutch view, this cannot be guaranteed by the mechanisms on the left part of the triangle: the issue there, is time and money. In order to comply with the conditions for his permit and to realise his commercial purpose, the developer needs the service of an archaeological contractor and their relationship takes the form of a contract by which the principal seeks to ascertain that the work is being done as economically as possible and within a specified period of time. That, and nothing else, is the product which the developer wants from the contractor. The government, i.e. the competent authority, however, wants the contractor to produce something very different, namely relevant knowledge about the past and for that reason the government needs its own control in the process, which is the quality standard for archaeological work.

The whole point of the Malta Convention is that the permit which the developer needs, should preferably not be given if valuable archaeological remains are at stake. If he does get it, because other interests are considered to be more important, archaeological investigation should be a condition and it is up to the authority to guarantee that this investigation is properly done. Therefore, the system of quality standards must be based on the law, so that it will not be easy to circumvent it. On the other hand, it should not be in the law itself, because it needs flexibility (frequent updates and adaptations). The solution to this is that the law requires work to be done by parties who have demonstrated that they are capable of doing so. Second, it requires work to be done according to 'accepted standards' and those are defined as the standards that have been accepted (and are maintained) by the community of Dutch archaeologists.

Aspects related to quality assurance

Because the standards which are the basis for the quality assurance system must be widely accepted, they have been developed by the Dutch archaeological community as a whole. As mentioned above, a national preparatory committee was established in 1999. In that committee all sectors: universities, private enterprises, local, regional and the national government (represented by the ROB), the Dutch Association of Archaeologists (NVvA) and even developers were represented.[12] An intensive process of consultation has assured that the archaeological community was involved and there have been no problems with acceptance of the standard.
Of course it was evident from the start that much archaeological work is quite difficult to standardise and there was consensus about the idea that most of this work is in fact a scientific process which should not be made inflexible by too many prescriptions. For these reasons, the approach taken by the committee is that detailed specifications of products are only given in some cases. In most cases, the process of work has been described instead of the product, and for all steps in a specific process, for example in an excavation, the actors have been defined. So instead of defining in detail what needs to be done, the standard says who is allowed to do it.
This obviously requires a definition of all personnel working in archaeology, and the Dutch Association of Archaeologists has been asked by the State Secretary to design a national 'register of

12 See Willems & Brandt 2004, Appendix 6. Roel Brandt was representing the larger archaeological companies on that committee.

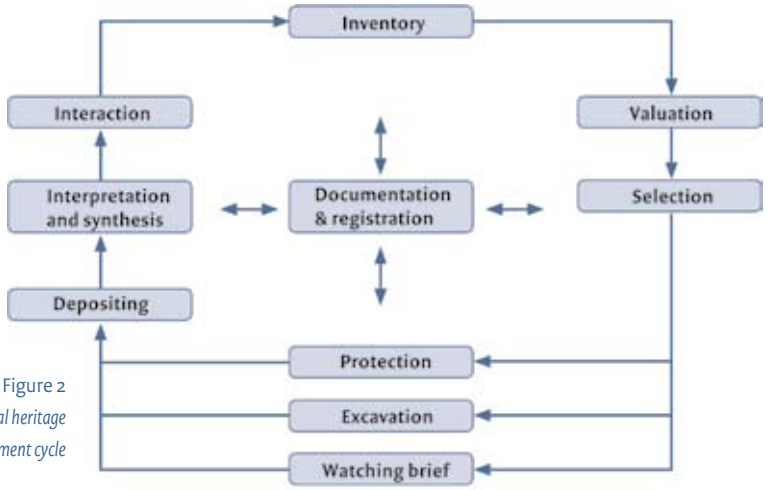

Figure 2
The archaeological heritage management cycle

archaeologists', which will allow professionals to be registered according to education, training and experience. This part of the work has not been completed yet in the sense that the Register has not formally been created, but the members of the association have agreed on the basic principles. A blueprint for the register has been presented to the archaeological community in the fall of 2004 and has been adopted.[13]

The Quality Standard itself covers all major processes: from desk based assessments and field evaluations all the way up to physical conservation of sites, the publication of a site report, archiving the documentation and conserving and depositing the finds. The actual standard is of course similar to what is common practice in most countries although it has only rarely been written down and agreed upon. In this respect, mention should also been made of the standards that were previously developed by ROB, which provided a useful starting point. These were developed especially for the so-called Betuweroute project, a major new railroad from Rotterdam harbour to the German Ruhrgebiet. This is a good example of what was mentioned above as the moral obligation that was felt by agencies of the national government to apply the Malta principles in their decisions and policies. Due to the vast scale of this project and the way in which archaeology had to adapt to its rules and was facilitated to do so, it has recently been described as the prototype for, and practical laboratory of the changed archaeological system.[14]

13 Perk 2004.
14 Bloemers, Van Londen & Jurgens 2003: esp. 12-13.

In order to identify which processes should be covered, the national preparatory committee has taken an amended version of the archaeological heritage management cycle (fig.2) as a starting point. This has led to the identification of six main processes:

- The first main process consists of inventarisation and valuation, and comprises the desk-based assessment and the archaeological field evaluation;
- Selection is a separate step in the management cycle, but has not been included because it is a decision taken by a government which can lead to three different main processes but which is not a process in itself;
- The second main process is physical protection. Protection as such has two aspects: administrative and physical. Administrative protection (whether by legal designation as an ancient monument, by a planning decision, or on the basis of bye-laws) is a matter for an authority. Physical protection, however, is conservation *in situ* and hence it is work that can be put out for tender;
- The third main process is excavation or conservation *ex situ*;
- The fourth is a watching brief, which is sometimes similar to work being done during an archaeological field evaluation but which is a separate process;
- The fifth main process is depositing. Although material and documentation is supposed to end up in public collections, depositing itself is work that can be contracted;
- Finally, the sixth main process is registration. Obviously, this is related to ARCHIS, the central information system maintained by the ROB. The committee did, however, decide to develop a standard for the information from all parts of the total archaeological process that must be registered.

Evidently, the management cycle is not completed with these six main processes. Nevertheless, the committee decided that it would not be appropriate to develop standards for interpretation and syntheses, which is high level scientific work. Of course, standards have been developed for the initial analysis and interpretation in the standard report, which has to be produced within two years after excavation. But it was felt that further interpretation and synthetic work is research that should not be regulated in the same way.
By analogy, the committee decided against developing any standards for 'interaction', which is the communication about

archaeological work and discoveries to society as a whole. Of course it is vital that this step is taken, both as an ethical obligation of the archaeologist and as the only way to secure public understanding and support for the archaeological heritage. But it was felt that the process of interpreting the past, giving meaning to it, and presenting it should not be regulated in any way. Interpretation and presentation are a subject matter for charters and declarations by international organisations such as ICOMOS (International Council on Monuments and Sites) or the EAA (European Association of Archaeologists), not for regulation at the national level.

Organisational and legal aspects

Both the register and the standards will be maintained and when necessary they will be adapted to changing circumstances or new technical developments by the profession itself. The government should have no part in this and in fact wants no part in it because it would mean that a few colleagues, for example from the State Service, would prescribe to the whole profession how to do their job. That, of course, would not be acceptable to anyone. Moreover, it is intended that the standard will not just be used to provide basic guarantees for the quality of the work, it will also constitute the basis for a system of certification or admission, and accreditation for this is only accepted by any branch of work if broad support for the standard exists in that branch.

Therefore, the register is to be maintained by the national association of archaeologists and the committee that will be responsible for maintaining the standards shall be part of a private foundation, which will also organise the certification of private companies working in archaeology.[15] A certificate to do excavations (or field evaluations, or any other type of work) can be established if a company or institute has the right equipment, the necessary internal procedures, qualified personnel, and so on, to receive a certificate. Audits will guarantee that the requirements of the certificate are maintained.

For the moment, under the above mentioned interim policy, this work is being done by the Committee for Archaeological Quality (CvAK) that has been appointed by the State Secretary in September 2001. This committee provides advice on the suitability of all companies who want to do excavation work. Not surprisingly, Roel Brandt was asked by the State Secretary to be the Chair of this Committee. When its intended successor, the Central Board of Experts for Archaeology was established in March 2005, Roel again took on the chairmanship (fig.3).

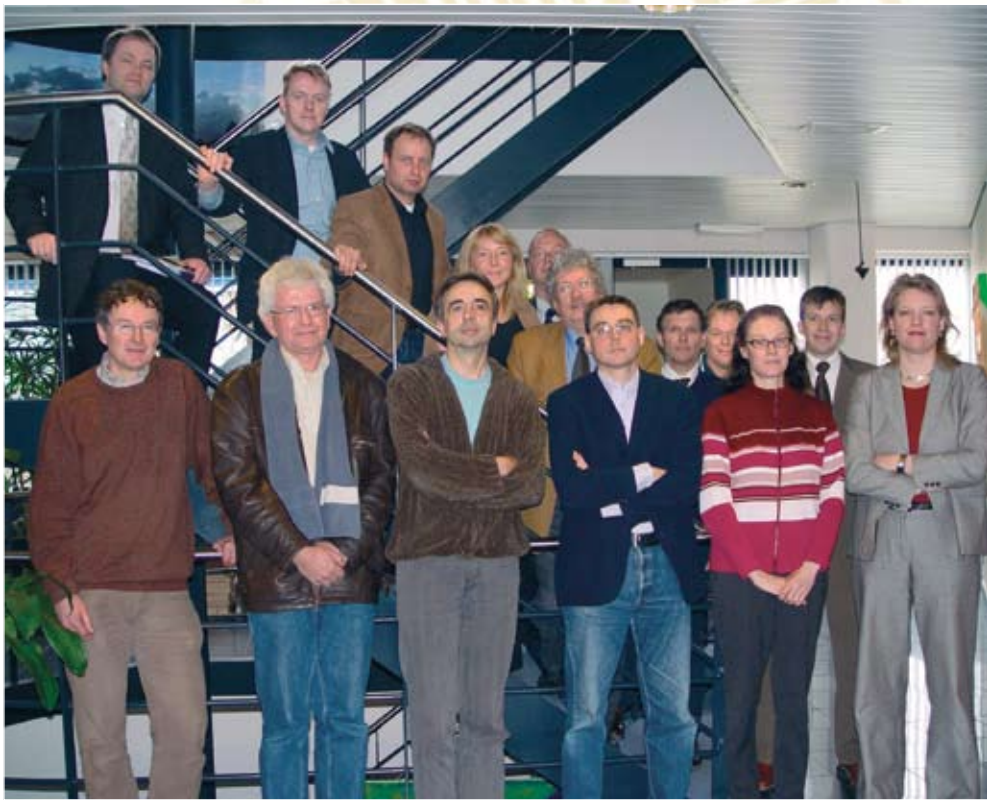

Figure 3
The Central Board of Experts for Archaeology was established in March 2005.

The legal basis for this system is provided by a paragraph in the new law, which says that a licence is required for excavation work. At the same time, such a licence will be given to institutes or private companies that have obtained a certificate or admission that is recognised by the Minister of Culture. No archaeological work involving excavation can be done legally by anyone without a licence and this requirement is only waived if one has gone through a process of certification. In practice, this means that archaeological companies from abroad can also work in the Netherlands: as long as they can meet the requirements for certification, they can participate in tendering processes and do the work. Of course the Quality Standard requires that products are in the Dutch language and that the work is done by archaeologists

15 After some discussion, it was decided in 2004 to set up a Central Board of Experts for Archaeology with the Foundation Infrastructure for Quality Assurance of Soil Management, which in Dutch abbreviates to SIKB.

that have a good knowledge of Dutch archaeology, but these can be hired for that purpose.

This entire system is of course dependent on many other things. This is not the place to discuss the entire new legal structure which, in any case, may still change after discussion in parliament. But it is useful to draw attention to some aspects that are not the same everywhere else.

One important element of the new system is that there will be a legal obligation to report all information to a central information system that is maintained by the Archaeological State Service (ROB). There are provincial and local sites and monuments records, but all data have to go into this central system, so that up to date information is available to all parties in the heritage management process. The ROB shall obviously not attempt to constitute a system which encompasses all details of all excavations, but basic information must be provided. Especially the results of the innumerable field evaluations which are nowadays being done each year are very important, and it will not be possible for a developer to keep these for himself. When delivering a report to his principal, the archaeological contractor is obliged to give the same data to the information system. The web-based version of this revised registration system, called Archis2, has become operational in 2004.

A second element in the new system is that a State Inspectorate for Archaeology (RIA) has been created. Much is being delegated to the private sector, and the ROB will have a role as a national centre of expertise, which is incompatible with that of policing. Therefore, an independent inspectorate is needed to monitor what goes on in practice and to report to the minister when correction is needed. Quality assurance systems do not work when there is no independent supervision and the Minister of Culture needs an instrument to be able to implement political responsibility for such a system. In addition, as any responsible archaeologist knows all too well, it is possible to comply formally with standards while still doing a very bad job in the field, so there must be a way to establish whether the work is being done properly, whether reports are produced on time (that is, within two years), etc.

A final element which is considered of vital importance is that all archaeological work should be research driven and problem oriented. A quality assurance system provides guarantees for the standard of the work being done, but it does not guarantee that the right questions are being asked. Therefore, the quality system requires that the cycle of archaeological work will begin with the advice of an experienced archaeologist. Any local, regional or even the national government will have to consult a senior archaeologist to prepare a project outline - also called a brief - that will contain the research questions. In many cases this work is done by a curator in the service of that government but it can also be a consultant. In principle, therefore, the developer does not just get a permit for a development on condition that an excavation is done first. He also receives a project outline which specifies *what* should be investigated, *why*, and *how*. In short, he gets the basis for a research design which is as detailed as needed in a particular case. This assures that the research will be relevant from a scientific perspective. And it also assures that the amount and the kind of work to be done is equal to all tendering parties, in a way that in principle one contractor cannot be cheaper than another because - for example - a particular time consuming or expensive analysis is left out.
It has been recognised that for this advice to be most effective, it would be very valuable indeed if 'research agendas' were developed at the national and preferably also at lower levels of government. That is one more tool which is currently being developed in a process where the ROB and Dutch universities have taken the lead, but in which other parties take part, such as the provincial archaeologists, the standing conference of municipal archaeologists, and the association of archaeological companies. This National Research Agenda may follow shortly after publication of this *Festschrift* for Roel.

First experiences in practice

The system that was briefly outlined above has meanwhile been operational for four years, at least as far as that was possible under the decree which established the transitional policy. This situation has had some obvious advantages and disadvantages.
The most obvious advantage is that some experience was gained with various aspects, which may lead to improvements in the legislation before it is finally adopted. The second important advantage is, that this interim-period has provided

a relatively sheltered incubator period, which has been useful for archaeological companies to gain experience in the harsh world of economic competition and for other parties to become accustomed to their respective roles.
Of course these effects have occurred only to some degree, because there was no new legislation yet and major elements were lacking. An important missing element is that there is not yet a binding developer-pay principle and even though many parties are willing to act as *if* it was a legal obligation, many others, including municipalities, refuse to do so, or do so only to a limited extent. Obviously, when finances are lacking, implementing standards can sometimes be a problem.
A more serious handicap resulted from the fact that the quality standard was adapted to what - during its creation - the Preparatory Committee expected would be the new legal system while during the interim period that new system was not yet in place and some of its vital elements were lacking. For example, the role of the project outline, or brief, constitutes a cornerstone in the Quality Standard. A good project outline ensures that the archaeological work is relevant, and that commercial competition is fair.
In the Quality Standard it was assumed that there would always be a 'competent authority', which means a government body empowered to take the decision what should happen and the body that should ensure that a project outline is drawn up and approved. In practice, it turned out that quite often no government was willing to take the role of competent authority as foreseen in the standard. Even some governments that were willing to decide that archaeological work needed to be done, were subsequently unwilling to say *why in particular*, and *how*, that work should be done, i.e. to provide a proper project outline.....
The lack of a proper project outline had - sometimes quite serious - negative consequences for the quality of the work (price becoming the decisive factor in competitive tendering), but it was also detrimental for companies who lacked the instrument that created a level playing field. For example, companies that included analyses of botanical samples or C14-analysis or anything extra, would loose the tender to a company that did *not* include such expensive extras, which of course were really needed.

This consequence could be amended somewhat by the State Inspectorate that gave some temporary guidelines for situations in which the project outline was not approved on behalf of a government,[16] and it has led to proposals for adaptations in the Quality Standard itself, especially concerning the separation between the party that draws up the project outline and the party that carries out the work. In the new law, the obligations of governments in the decision-making process will probably be better regulated.
The experience so far, has shown that writing an *adequate* project outline which assures that required minimum quality is described properly - so that the research aims are clear and that a level playing field for the tendering process is created - is by no means simple. Even the very basic step of actually *having* a project outline takes considerable time before it becomes common practice, let alone the next step of having an adequate project outline.

Another relevant experience has been that several companies which were non-archaeological and have their main business in other work entered the emerging archaeological market. This was not unforeseen, but nevertheless it had some unexpected consequences. One of the stated reasons for starting a State Inspectorate had been the concern that independent control was necessary to oversee archaeological work by commercial companies. In practice, while the mere existence of the inspectorate has had a positive influence on the way in which various parties have performed, there has been no evidence that archaeology firms were performing severely substandard. Quite to the contrary: on average the performance of commercial archaeological companies has been found comparable to that of traditional permit-holders.
The same cannot be said about a few companies who took up archaeology alongside their main activities, such as big contractors and some major Dutch developers. Initially, they avoided offering excavations and concentrated on consultancy. Because an excavation-permit is required under the Monuments Act 1988, any archaeological work that includes 'excavation' (defined in that Act as: *soil-disturbing activities intended to locate or to investigate monuments*) can be controlled, archaeological advice, however, did (and does!) not require a licence. As a result, it was offered in some cases even if no experienced archaeologist - sometimes even if no archaeologist - was available!

The most serious problem arose with archaeological field evaluations. In itself, this type of work is already the most profitable

16 MemoRIA 4, 'Programma's van eisen: de procedure' (mei 2003).

and least risky from a commercial point of view. It is far less risky than an excavation. It plays a major role in Dutch archaeology, for a long time the heritage management relied mainly on borehole surveys in archaeological field evaluations.[17] This is an efficient and reliable method to locate sites in Holocene areas, but there is solid evidence that it is quite unreliable in Pleistocene soils. In the past, Roel Brandt's attempts to get permission for RAAP to excavate were motivated largely by the fact that in Pleistocene soils trial trenches are needed to obtain a more reliable result. Despite the known restraints, several companies continue to apply the method in situations for which it is unsuitable.

To the existing bias towards this type of survey, as opposed to a geophysical survey or trial trenching, must be added the circumstance that augering had never been considered an activity that required a permit. The reason for that was that the method of drilling boreholes - as compared to trial trenching - was not considered particularly harmful to archaeological sites. This, of course, remains correct, but the result has been that borehole surveys, which in legal terms are clearly "soil-disturbing activities intended to locate or investigate monuments" and can thus be defined as "excavation", had never been considered as such so that no permit was required.

Less than half a year after the interim policy had become effective, the Inspectorate had the first evidence that very low quality surveys were being done by non-archaeological companies. For archaeological heritage management, such substandard surveys are of course absolutely fatal, because (usually municipal) authorities base decisions on false indications (usually negative indications, of course, although examples of false positive conclusions were also encountered, which shows that so far the bad result is only due to incompetence, not on purpose).

Meanwhile, this situation has improved as only a few companies remain without qualified personnel that allow them to obtain permission to work under the licence of the ROB. In addition, a special decree has been prepared that requires a licence for all survey work by augering, so that the worst effects of current situation will be remedied.[18]

Another issue that is worth some comment are the reports. As everywhere else, the Netherlands has the problem of unpublished and therefore unfinished excavations. There is no problem with reports from field evaluations, because the developer has an interest in their results. For excavations, the developer only has an interest in the field work being done so that development can go on, and normally there is little interest in the report. Both the Quality Standard and all excavation permits now require that a report with the basic analysis of the excavation must be completed two years after the end of the field work at the latest. Already, it is evident that this works: much more reports than before are being completed. Even if the quality should be inadequate in some cases, this still gives a much better situation than before, when hardly anything was completed with a basic analysis and a publication. At least the general data become available now, for research and for heritage management.

This basic analysis also helps with another problem, namely the storage of finds. If the analysis has been done, it is possible to select finds that need to be deposited in a storage facility or a museum. Prehistoric sites hardly pose a problem here, but it is important that from all the immense quantities of finds from Roman, medieval, and later sites, only a selection needs to be stored. Space in storage facilities is already scarce, and with the increased number of projects being done, this is fast getting a problem. Even though selection is now largely accepted and materials are being removed after analysis, instead of stored, there is not enough space. In some cases, companies are forced to maintain finds in their possession because there is no storage facility to receive them.

It is still too early to draw any final conclusions from all this. It is certainly true that due to 'Malta' many things have changed for the better over the last decades and since Roel and I first talked about the introduction of private organisations within archaeology. Not all problematic issues have been resolved, however, and some of the issues mentioned above could prove to be absolutely fatal for progress in archaeological research. As was mentioned above, all archaeological work should be research driven and problem oriented. If not, it will not be of much use to society. The coming change in legislation will be a good step forward, but especially where it concerns its relevance for research, the system needs to be monitored carefully in the years to come.

The author is general inspector for archaeology.

17 See Tol *et al*. 2004 for an evaluation study of the reliability of borehole surveys.
18 The decree was gazetted in June 2005 and becomes effective on 1 November 2005.

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